

REMARKS

Claims 1-24 are pending in the present application. Claims 1-24 are rejected under the judicially created doctrine of obviousness-type double patenting. Applicants respectfully request reconsideration of the application, withdrawal of all rejections, and allowance of the application in view of the amendments and remarks below.

The Invention

The present invention provides novel condensation drug aerosols and methods for producing such aerosols. These condensations aerosols have little or no pyrolysis degradation products. The unique method for generating or producing such aerosols employs rapid vaporization of the drug to minimize drug degradation during the process. These vaporized drugs are subsequently condensed to form particles of a desirable particle size for inhalation. These aerosols are especially useful in the treatment of acute or chronic conditions wherein rapid onset of treatment is desirable.

The Amendments to the Claims

Without prejudice to the Applicants' rights to present claims of equal scope in a timely filed continuing application, to expedite prosecution and issuance of the application, the Applicants have amended Claims 1-3 and 13-15 and cancelled Claims 4-12 and 16-24. The Applicants also have presented new Claims 25-52. The amended claims and the new claims are supported by the specification (see below for examples of such support).

Claim	Examples of Support in the Specification
Claim 1	Paragraph 0015, 0017, 0025, 0027; Example 2
Claim 2	Paragraph 0051
Claim 3	Paragraph 0051
Claim 13	Paragraph 0015, 0017, 0025, 0027; Example 2
Claim 14	Paragraph 0051
Claim 15	Paragraph 0051
Claim 25	Paragraphs 0001 [incorporates by reference U.S. provisional application Ser. No. 60/317,479 (see, e.g., page 30, lines 25-27)], 0025
Claim 26	Paragraph 0025
Claim 27	As recited above for Claim 25
Claim 28	Paragraph 0017
Claim 29	Paragraph 0017
Claim 30	Paragraph 0096
Claim 31	Paragraph 0020
Claim 32	Paragraph 0021
Claim 33	Paragraph 0022
Claim 34	Paragraph 0023
Claim 35	Paragraphs 0001 [incorporates by reference U.S. provisional application Ser. No. 60/317,479 (see, e.g., page 30, lines 25-27)], 0025